



TOWN OF WARE

Planning & Community Development

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Planning Board Minutes November 4, 2015

- Planning Board members present:** John Chabot (Alternate), Chris DiMarzio (7:06 p.m.), David Kopacz, Sr., Rick Starodoj (Chairman), Fred Urban, Joe Knight
- Planning Board members absent:** none
- Staff present:** Judi Mosso, Assistant to the Director
- Public:** As taken from sign-in sheet and observation: Olivia G. K. Mosso, David Thomas (Seaboard Solar), Pedro Rodriguez (Seaboard Solar)

Chairman R. Starodoj called the meeting to order at 7:01 p.m.

1. Administrative
 - a. *Approve minutes from October 7, 2015* – **Motion** by F. Urban to approve minutes as presented, seconded by J. Knight. So voted 5/0/0.
2. Update: Seaboard Solar and possible surety bond

David Thomas and Pedro Rodriguez of Seaboard Solar were in attendance and provided the Board with a chronology of events. Danielle Taylor is no longer with the company. Seaboard Solar intended to sell to Solar City after the facility was built. Although there was a plan in place for the sale, Seaboard Solar also had to sell the power which was a lengthy negotiation and wound up with no cash flow for eighteen months. Currently, they are completing an agreement for sale and discussed the new timetable: 2-3 weeks until closing, interview new contractor, construct and run wire in winter, trench in spring, complete in 3-4 months using 80 workers, power will be purchased by Lowell Housing Authority.

There was discussion about original use for power, working in winter conditions, beaver activity, monitoring silt in ponds, concrete pads vs. stakes. The Board requires

an update at their January 6, 2016 meeting. David Thomas will send a copy of the settlement when it is finished and signed.

3. Update: Tri-County Recycling (ABC&D)

There is a public hearing tonight with the Board of Health about their application to modify the Site Assignment to add municipal solid waste (MSW) and urban soils to the materials handled at the site. There was discussion that state approval does not indicate local approval, and that state comments have no bearing on Ware’s local bylaws and ultimately MSW is not an allowed use per the zoning bylaw, nor has it ever been an allowed use in that zoning district.

C. DiMarzio provided the following: he distinctly remembers that at the time of the initial Special Permit, Dick O’Riley continually stated that ABC&D was not seeking approval for a solid waste permit, just demolition debris. Part of the Board’s approval at the time was to assure people that MSW would not take place as part of the Special Permit, and that MSW would have included a transfer station. MSW is still prohibited in this zone. Processing of permitted materials (asphalt, brick, concrete, and demolition debris) was allowed, however, C. DiMarzio noted that the machinery is gone so processing is not taking place.

4. Update: ANR 2015-05 (at Mill Yard)

Create one new lot from Parcel 57-0-110 in the Millyard. We believe that the applicant may withdraw the application but we have not received written word yet.

5. Adjourn – **Motion** by C. DiMarzio to adjourn at 7:30 pm; seconded by J. Knight.

<i>Minutes Approved on:</i> _____	
Starodoj	_____
DiMarzio	_____
Urban	_____
Kopacz	_____
Knight	_____

*Respectfully submitted by Judi Mosso
Assistant to the Director*